

REMARKS

Claims 1 and 4 have been amended. Claims 1 - 39 remain pending in the case.

Claims 1 - 39 were rejected under 35 U.S.C. §103(a) as being unpatentable over WWU (DE298 02972) in view of Krapf et al (WO 90/13663), McAndrew et al. (U.S. 5,880,850), Pinvidic et al. (U.S. 6,157,455), and McCaul et al. (U.S. 5,625,189).

Starting from WWU (DE 298 02 972) as closest prior art, the most important difference of the present invention is the two-part setup of the analysis device comprising the sensor head and the measuring adapter. This setup allows using measuring adapters which can be easily substituted. The substitution is very important since the adapter, after measurement in general, is contaminated and therefore useless for further measurements. Therefore, the present invention allows using measuring chambers on a low cost basis for substituting after each measurement or higher priced, reliable to be autoclaved before the next measurement. The detector device and the electronics used in such devices would be destroyed in an autoclave and therefore have to be disconnected.

The WWU (DE 298 02 972) does not show or disclose a solution for the aforementioned problems. Therein, the measuring chamber is integrated in the device between the light source and detector. In consequence, no opportunity to couple the measuring chamber with the sensor head is given (see Figures 2 and 4) nor is it mentioned.

The same refers to the further documents cited by the Examiner. Krapf et al. (WO 90/13663) teaches a system based on optodes generating signals which are arranged outside of the device. The use of optodes is disadvantageous since the optical properties of these optodes often are impaired by other gases. Furthermore, the long term stability of these optodes is inadequate.

Furthermore, neither of McAndrew et al. (Us 5,880,850), Pinvidic et al. (U.S. 6,157,455) nor McCaul et al. (U.S. 5,625,189) show or disclose the use of a two-part set up according to the present invention.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is further submitted that this Amendment has antecedent basis in the application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places the application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's Amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

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